

In the Claims:

Claim 2 is amended herein. Claim 10 is canceled. Non-elected claims 5-9 were previously canceled. The remaining claims are not amended in this response.

1. (previously presented) A mask blank used for the charged particle beam exposure, which is made by employing an SOI substrate having a front-side silicon membrane and a back-side silicon layer with a silicon oxide film having a first internal stress interposed therebetween, wherein the back-side silicon layer of said SOI substrate and the silicon oxide film are partially removed to form an opening to be an exposed region and an etching stop layer having lower internal stress than said first internal stress is formed in the opening.

2. (currently amended) A mask blank used for the charged particle beam exposure as claimed in claim 1, wherein said etching stop layer is made of any one selected from the group consisting of Cr, [[Ti,]] Ta, Mo, W, and Zr and nitrides, oxides, and oxynitrides of theses metals.

3. (original) A mask blank used for the charged particle beam exposure as claimed in claims 1 or 2, wherein a hard mask layer made of any one selected from a group consisting of Cr, Ti, Ta, Mo, W, and Zr and oxides, nitrides, and oxynitrides of these

metals is formed on the front-side silicon membrane of said mask blank used for a charged particle beam exposure.

4. (original) A mask blank used for the charged particle beam exposure as claimed in claim 3, wherein said etching stop layer and said hard mask layer are made of the same material.

5. (canceled)

6. (canceled)

7. (canceled)

8. (canceled)

9. (canceled)

10. (canceled)